

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

STEPHEN MICHAEL BRADBURY,

03:06-cv-1399-AC

Petitioner,

ORDER

v.

GUY HALL,

Respondent.

MARSH, Judge

Magistrate Judge John Acosta issued his Findings and Recommendation on August 18, 2011, recommending that petitioner's habeas corpus petition be denied. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b). No objections have been timely filed.

When neither party objects to a Magistrate Judge's Findings and Recommendation, this court is relieved of its obligation to review the record *de novo*. United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003)(*en banc*); see also United States v.

Bernhardt, 840 F.2d 1441, 1444 (9th Cir. 1988). Having reviewed the legal principles *de novo*, I find no error.

Accordingly, I ADOPTED Magistrate Judge Acosta's Finding and Recommendation (#42). IT IS ORDERED that petitioner's petition for writ of habeas corpus (#2) be DENIED. Because petitioner has not made a substantial showing of the denial of a constitutional right, a certificate of appealability is DENIED. See 28 U.S.C. § 2253(c)(2).

IT IS SO ORDERED.

DATED this 27 day of September, 2011.

/s/ Malcolm F. Marsh_____
Malcolm F. Marsh
United States District Judge